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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/529,364

03/28/2005

Akira Ishizaki

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EXAMINER

SANDBERG, NOLAN THOMAS

ART UNIT

PAPER NUMBER

3782

NOTIFICATION DATE

DELIVERY MODE

04/16/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary	Application No. 10/529,364	Applicant(s) ISHIZAKI, AKIRA	
	Examiner NOLAN SANDBERG	Art Unit 3782	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/28/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Tomic (US Patent No. 6,293,701 B1).

Regarding claim 1, it is noted that Tomic discloses a closing slider for closing a zipper of a plastic bag, the zipper (Fig. 2) comprising a groove (136, 134a) and a protrusion (144), which are mutually engageable with each other, provided on mutually opposite inner surfaces of flaps (142, 143, 132, 133) formed at an open portion of the plastic bag, said closing slider (Fig. 16-17) comprising a couple of side legs (418, 419) located outside the flaps respectively, a center leg (416, 366) located between the flaps and having a length not reaching the zipper (column 9, lines 32-35), and slits made (397) in a top of the slider and extending to a side of the slider, so that the flaps can be inserted between the center leg and the respective side legs through the slits.

Regarding claim 2, it is noted that Tomic discloses wherein a side portion of the center leg protrudes from the side legs and is exposed (192, 194, Fig. 3-5).

Regarding claims 3, 5, and 6, it is noted that Fig. 16-17 and 20 of Tomic disclose wherein side portions of the side legs are partly cut off (angled edge 419), so that a side portion of the center leg protrudes from the side legs and is exposed (416).

Regarding claim 4, it is noted that Tomic discloses wherein the center leg has a sideways protrusion, so that a side portion of the center leg protrudes from the side legs and is exposed (192, 194, Fig. 3-5).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Uno (JP Patent No. 2000-023716) discloses a slider with a side cut-out exposing the center leg. Savicki (US Patent No. 7,213,303 B1) discloses a bag with a slider with slits. Savicki et al. (US Patent No. 7,134,192 B1) discloses a slider with slits and a center leg which does not reach the zipper. Savicki, Sr. (US Patent No. 7,080,429 B2) discloses a slider with portions of the side legs cut off. Buchman (US PG Pub No 2002/0076122 A1) discloses a slider with a center leg which does not reach the zipper. Buchman (US Patent No. 6,290,391 B1) discloses a slider with a center leg which does not reach the zipper. Stolmeier et al. (US Patent No. 6,257,763 B1) discloses a slider with slits. Burke et al. (US Patent No. 6,178,602 B1) discloses a slider with slits. Herrington (US Patent No. 5,007,143) discloses a slider with a center leg which does not reach the zipper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NOLAN SANDBERG whose telephone number is (571)270-3537. The examiner can normally be reached on Monday to Thursday from 7:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse, can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/N. S./
Examiner, Art Unit 3782
4/3/08

/Nathan J. Newhouse/
Supervisory Patent Examiner, Art Unit 3782